

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

<b>STEPHEN SMIT,</b>	)	
	)	
<b>vs.</b>	)	<b>No. 08 C 558</b>
	)	
<b>OFFICER KEELER #183, Individually</b>	)	<b>Judge Kocoras</b>
	)	
<b>Defendants.</b>	)	<b>Magistrate Judge Brown</b>

**ANSWER**

NOW COMES the Defendant, OFFICER KEELER, by and through his attorney, ANTHONY C. SCREMENTI of the Law Firm of CIFELLI, SCREMENTI, CIFELLI & SPINA, LTD., and in Answer to Plaintiff's Complaint, states as follows:

**COUNT I – FALSE ARREST**

1. The Defendant admits the allegations contained in Paragraph 1.
2. The Defendant admits the allegations contained in Paragraph 2.
3. The Defendant admits the allegations contained in Paragraph 3.
4. The Defendant admits the allegations contained in Paragraph 4.
5. The Defendant denies the location stated, but admits the remaining allegations contained in Paragraph 5.
6. The Defendant denies the allegations contained in Paragraph 6.
7. The Defendant admits the allegations contained in Paragraph 7.
8. The Defendant denies the allegations contained in Paragraph 8.
9. The Defendant admits the allegations contained in Paragraph 9.
10. The Defendant denies the allegations contained in Paragraph 10.
11. The Defendant denies the allegations contained in Paragraph 11.
12. The Defendant denies the allegations contained in Paragraph 12.
13. The Defendant denies the allegations contained in Paragraph 13.
14. The Defendant denies the allegations contained in Paragraph 14.
15. The Defendant denies the allegations contained in Paragraph 15.
16. The Defendant denies the allegations contained in Paragraph 16.

WHEREFORE, the Defendant, OFFICER KEELER, prays that the relief sought in Plaintiff's Complaint be denied.

**COUNT II – EXCESSIVE FORCE**

- 1-10. That the Defendant herein repeats and realleges his Answers to paragraphs 1 through 10 of Count I as his Answers to paragraphs 1 through 10 of this Count II, as though fully set forth.
11. The Defendant admits the allegations contained in Paragraph 11.
12. The Defendant denies the allegations contained in Paragraph 12.
13. The Defendant denies the allegations contained in Paragraph 13.
14. The Defendant denies the allegations contained in Paragraph 14.
15. The Defendant denies the allegations contained in Paragraph 15.
16. The Defendant denies the allegations contained in Paragraph 16.

WHEREFORE, the Defendant, OFFICER KEELER, prays that the relief sought in Plaintiff's Complaint be denied.

**COUNT III – MALICIOUS PROSECUTION**

- 1-11. The Defendant herein repeats and realleges his Answers to paragraphs 3 through 13 of Count II as his Answers to paragraphs 1 through 11 of this Count III, as though fully set forth.
12. The Defendant denies the allegations contained in Paragraph 12.
13. The Defendant denies the allegations contained in Paragraph 13.
14. The Defendant admits the allegations contained in Paragraph 14.
15. The Defendant denies the allegations contained in Paragraph 15.

WHEREFORE, the Defendant, OFFICER KEELER, prays that the relief sought in Plaintiff's Complaint be denied.

s/Anthony C. Scrementi  
CIFELLI, SCREMENTI,  
CIFELLI & SPINA, LTD.  
1010 Dixie Highway, Suite 212  
Chicago Heights, IL 60411  
(708) 754-6200